

5/14/99 2:50:03 PM

Page 1

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB154)

Received: **05/13/99**

Received By: **olsenje**

Wanted: **Soon**

Identical to LRB:

For: **Robert Goetsch (608) 266-2540**

By/Representing: **Kent**

This file may be shown to any legislator: **NO**

Drafter: **olsenje**

May Contact:

Alt. Drafters:

Subject: **Criminal Law - miscellaneous**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Coverage of law enforcement officers

Instructions:

See.Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	olsenje 05/14/99	jgeller 05/14/99		_____ _____			
/1			hhagen 05/14/99	_____ _____	lrb_docadmin 05/14/99	lrb_docadmin 05/14/99	

FE Sent For:

<END>

5/13/99 9:04:52 AM
Page 1

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1/?	olsenje	1 5/4 jg	MS/4	MS/5/4			

FE Sent For:

<END>

Olsen, Jefren

50073

From: Vernon, Kent
Sent: Wednesday, May 12, 1999 3:35 PM
To: Olsen, Jefren
Cc: Rep.LaFave; Rep.Kaufert; Eberle, Ed; Macaulay, Lisa; Newhouse, Chris; Kelly, Judy; Zimmerman, Terri; Sappenfield, Anne; Haas, Shaun
Subject: ASA to ABI 154, relating to restrictions on the use of laser pointers and providing a penalty

Jefren,

Representative Goetsch requests an Assembly substitute amendment to AB 154 as follows:

On page 2, line 13, after that line insert "941.33 of the statutes is created to read:

941.33 Misuse of laser pointers. (1) In this section:

(a) "Laser pointer" has the meaning given in s. 941.33 (1) (a).

(b) "Law enforcement officer" means a Wisconsin law enforcement officer, as defined in s. 175.46 (1) (g), or a federal law enforcement officer, as defined in s. 175.40(7) (a) 1.

(2) Whoever knowingly directs a beam of light from a laser pointer at any part of the body of a law enforcement officer while that officer is doing any act in an official capacity and with lawful authority is guilty of a Class B misdemeanor."

Thanks.

Kent D. Vernon
Committee Clerk
Assembly Committee on Criminal Justice,
State Representative Robert G. Goetsch, Chair
kent.vernon@legis.state.wi.us
Phone: 608-266-2540
Toll Free: 1-888-534-0039
Fax: 608-282-3639

jailer
DNR
warden

add: w/out consent

1999

Date (time)
needed

Monday

LRB s

0073, 1

**SUBSTITUTE AMENDMENT
[TO A BILL]**

JEO

: jlg :

Use the appropriate components and routines developed for substitute amendments.

S **A** SUBSTITUTE AMENDMENT

TO 1999 SB

AB

154

(LRB-

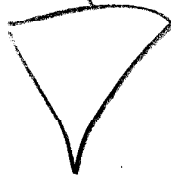
1

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to:

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION #.



1999 ASSEMBLY BILL 154

March 4, 1999 - Introduced by Representatives LA FAVE, KAUFERT, RYBA, MUSSER, HASENOHRE, ALBERS, BLACK, SINICKI and RILEY, cosponsored by Senator ROESSLER. Referred to Committee on Criminal Justice.

1 **AN ACT to create 941.299 of the statutes; relating to** restrictions on the use of
2 laser pointers and providing a penalty. ✓

Analysis by the Legislative Reference Bureau

Current law provides various restrictions on acts that endanger public health and safety. Among the acts covered by these restrictions are tampering with household products, placing foreign objects in edibles and possessing or using certain weapons or devices that imitate or look like certain weapons. For instance, current law, with certain exceptions, prohibits a person from carrying or displaying a facsimile firearm in a manner that could reasonably be expected to alarm, intimidate, threaten or terrify another person. This prohibition applies to a replica of a firearm, a toy firearm, a starter pistol or any other object that bears a reasonable resemblance to or that reasonably can be perceived to be an actual firearm. A person who violates the prohibition may be subject to a forfeiture (a civil monetary penalty) of not more than \$500.

This bill creates restrictions on the use of laser pointers. Under the bill, no person may do any of the following with a laser pointer: 1) intentionally and for no legitimate purpose direct a beam of light from the laser pointer at any part of the body of any human being; 2) direct a beam of light from the laser pointer in a manner that could reasonably be expected to alarm, intimidate, threaten or terrify another person; or 3) direct a beam of light from a laser pointer in a manner that, under the circumstances, tends to disrupt any public or private event or create or provoke a

ASSEMBLY BILL 154

disturbance. A person who violates the prohibition created in the bill may be subject to a forfeiture of not more than \$1,000.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 941.299 of the statutes is created to read:

941.299 Restrictions on the use of laser pointers. (1) In this section,

"laser pointer" means a hand-held device that uses light amplification by stimulated emission of radiation to emit a beam of light that is visible to the human eye.

(2) No person may do any of the following:

(a) Intentionally and for no legitimate purpose direct a beam of light from a laser pointer at any part of the body of any human being.

(b) Direct a beam of light from a laser pointer in a manner that could reasonably be expected to alarm, intimidate, threaten or terrify another person.

(c) Direct a beam of light from a laser pointer in a manner that, under the circumstances, tends to disrupt any public or private event or create or provoke a disturbance.

~~(3) Whoever violates sub. (2) is subject to a Class B forfeiture.~~

SECTION 2. Initial applicability.

(1) This act first applies to offenses occurring on the effective date of this subsection.

(END)

**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0073/lins
JEO:.....

INSERT 2-2:

(a) "Correctional officer" has the meaning given in s. 941.237 (1) (b).

INSERT 2-4:

(c) "Law enforcement officer" means a Wisconsin law enforcement officer, as defined in s. 175.46 (1) (g), or a federal law enforcement officer, as defined in s. 175.40 (7) (a) 1.

INSERT 2-5:

(a) Intentionally direct a beam of light from a laser pointer at any part of the body of a correctional officer or law enforcement officer without the officer's consent, if the person knows or has reason to know that the victim is a correctional officer or law enforcement officer who is acting in an official capacity.

INSERT 2-13:

(3) (a) Whoever violates sub. (2) (a) is guilty of a Class B misdemeanor.

(b) Whoever violates sub. (2) (b), (c) or (d) is subject to a Class B forfeiture.

(c) A person may be charged with a violation of sub. (2) (a) or (b) or both for an act involving the same victim. If the person is charged with violating both sub. (2) (a) and (b) with respect to the same victim, the charges shall be joined. If the person is found guilty of both sub. (2) (a) and (b) for an act involving the same victim, the charge under sub. (2) (b) shall be dismissed and the person may be sentenced only under sub. (2) (a).